Docket No.: M4065.0489/P489-A (PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Donald L. Yates et al. Allowed: January 18, 2008

Application No.: 10/734,201 Confirmation No.: 4789

Filed: December 15, 2003 Art Unit: 2812

For: METHOD OF IMPROVING SURFACE Examiner: H. J. Tsai

PLANARITY PRIOR TO MRAM BIT MATERIAL DEPOSITION

REQUEST FOR AKNOWLEDGEMENT OF REFERENCES CITED

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir

Applicant's undersigned representatives respectfully request that the Examiner acknowledge the references cited on Form PTO-892 originally filed on December 15, 2003. Furthermore, we respectfully request that the last reference cited on Form PTO-892, originally filed on January 22, 2002, also be acknowledged. A copy of the original submissions along with a copies of the PTO stamped postcard receipts and an IDS acknowledged by the Examiner are being filed herewith for your convenience.

Dated: February 26 2008

Respectfully submitted,

By Thomas J. D'Amico

Registration No.: 28,371
Peter A. Veytsman

Registration No.: 45,920 DICKSTEIN SHAPIRO LLP

1825 Eye Street, NW Washington, DC 20006-5403

(202) 420-2200

Attorneys for Applicants

Atty Docket No.: M4065.0489/P489-A

Inventor: Donald L. Yates, et al.

Filing Date: Concurrently Herewith Application No.: NOT YET ASSIGNED Title: METHOD OF IMPROVING SURFACE PLANARITY PRIOR TO MRAM BIT

MATERIAL DEPOSITION

Documents Filed: Fee Transmittal (1 page)

Payment by credit card. Form PTO-2038 is attached (1 page)

Declaration (3 pages)

Power of Attorney / -

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Atty Docket No.: :M4065.0489/P489-A

Inventor: Donald L. Yates, et al. Filing Date: Concurrently Herewith AUDPHILIATION IN. NOT TEL ASSISTANCE PLANARITY PRIOR TO MRAM BIT TITLE: METHOD OF IMPROVING SURFACE PLANARITY PRIOR TO MRAM BIT

MATERIAL DEPOSITION

Documents Filed: Fee Transmittal (1 page)

Payment by credit card. Form PTO-2038 is attached (1 page) Charge \$770.00 to credit card

Utility Patent Application Transmittal (1 page) First Preliminary Amendment (3 pages)

Specification (29 pages)

Sender's Initials: TJD/JKW/pjd

Declaration (3 pages)

Power of Attorney (2 pages) Drawings (13 sheets)

Information Disclosure Statement (2 pages)

IDS Citation (1 page)

Date: December 15, 2003

22264 U.S. PTO 10/734201

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Donald L. Yates, et al.

Application No.: NOT YET ASSIGNED

MATERIAL DEPOSITION

Confirmation No.:

Filed: Concurrently Herewith

Art Unit: 2836

METHOD OF IMPROVING SURFACE PLANARITY PRIOR TO MRAM BIT

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

For:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement accompanies the new patent application submitted herewith.

A copy of each reference on PTO/SB/08 is attached.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an

Application No.: NOT YET ASSIGNED

admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1073, under Order No. M4065.0489/P489-A. A duplicate copy of this paper is enclosed.

Dated: December 15, 2003

Respectfully submitted,

Thomas J. D'Amico

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OSHINSKY LLP 2101 L Street NW

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(202) 785-9700

Attorney for Applicant

PTO:SB/08A (10-01)
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	STATEMENT BY APPLICANT			First Named Inventor	Donald L. Yates
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	(use as many sheets as necessary)			Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	M4065.0489/P489-A

			U.S. PA	TENT DOCUMENTS	
Examiner Initials*	Cite No.1	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY		Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A	6,174,737	01/16/2001	Durlam et al.	

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		OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS	
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), fille of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pagetd, volume-issue number(s), publisher, city and/or country where published.	T ²

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Examiner	Date Considered	١
Signature	Considered	_

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

Atty Docket No.: M4065.0489/P489-A

Inventor: Donald L. Yates et al.

Application No.: 10/734,201 Filing Date: December 15, 200 Title: METHOD OF IMPROVING SURFACE PLANARITY PRIOR TO MRAM BIT Filing Date: December 15, 2003

MATERIAL DEPOSITION

Documents Filed:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT; IDS CITATION; 6 REFERENCES.

Sender's Initials: TJD/MMS/dgw

Date: January 22, 2004



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Donald L. Yates, et al.

Application No.: 10/734,201

Application 110.: 20, 10-1

Filed: December 15, 2004

For: METHOD OF IMPROVING SURFACE PLANARITY PRIOR TO MRAM BIT MATERIAL DEPOSITION

Confirmation No.: Not Yet Assigned

Art Unit: Not Yet Assigned

Examiner: Not Yet Assigned

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

A copy of each reference on PTO/SB/08 is attached.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

Application No.: 10/

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1073, under Order No. M4065.0489/P489-A. A duplicate copy of this paper is enclosed.

Dated: January 22, 2004

Respectfully submitted,

Thomas J. D'Amico
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2101 L Street NW
Washington, DC 20037-1526
(202) 785-9700
Attorney for Applicant

PTO/SB/08A (10-01)

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Approved for use through 1012-1022. Office of the second of the se Complete if Known Substitute for form 1449A/PTO Application Number 10/734.201 INFORMATION DISCLOSURE December 15, 2003 Filing Date Donald L. Yates STATEMENT BY APPLICANT First Named Inventor Not Yet Assigned Art Unit (use as many sheets as necessary) Not Yet Assigned Examiner Name Attorney Docket Number M4065 0489/P489-A of 1 Sheet

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Examiner	Cite	Document Number	Publication Date		Where Relevant
Initials*	No.1	Number-Kind Code ² (# known)	MM-DD-YYYY	of Cited Document	Passages or Relevant Figures Appear
		US-6,181,013-B1	01/30/2001	Liu et al.	
		US-6,110,648	08/29/2000	Jang	
		US-5,354,712	10/11/1994	Ho et al.	
		US-2002/0098705-A1		Low	
	_	US-6,326,218	12/04/2001	Yunogami et al.	

		FOREI	GN PATENT D	OCUMENTS		
Examiner Initials*	Cite No.	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	т
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^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

^{&#}x27;Applicant's unique citation designation number (optional). Applicant is to place a check mark here if English language Translation is attached.



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	Cite No.1	Document Number	Publication Date		Pages, Columns, Lines, Where Relevant
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		US-6,326,218	12/04/2001	Yunogami et al.	+

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